

SENATOR GREGG

Offered the following amendment:

Amend section 6, line 14, page 3, by striking out the words "running and."

SENATORS BURGESS, CLAIBORNE AND ALLEN

Opposed the amendment, and Senators Gregg and Armistead favored it.

The amendment was lost by the following vote:

YEAS—5.

Abercrombie, Gregg,
Armistead, Simkins.
Douglass of G,

NAYS—18.

Allen, Garrison,
Beli, Glasscock,
Burgess, Harrison,
Burney, Jarvis,
Calhoun, Lane,
Claiborne, McDonald,
Douglass of J, MacManus,
Field, Pope,
Frank, Woods.

ABSENT—2.

Camp, Stinson.

SENATOR GREGG

Offered the following amendment:

Amend section 6, line 4, page 3, by inserting after the word "State" the words "and in fixing such rates said commissioners shall not exceed the maximum rates now fixed, or which may be hereafter fixed by law."

Senators Burgess and Pope opposed the amendment.

Senators Gregg and Field favored the amendment.

(Senator Pope, President pro tem, in the chair.)

SENATOR JARVIS

Opposed the amendment and bill.

(Senator Calhoun in the chair.)

SENATOR SIMKINS

Spoke for the amendment and bill.

(The President in the chair.)

SENATOR BELL

By leave,

Sent up a protest of many citizens

of Bell county, against the creation of the county of Willie.

Referred to Committee on Counties and County Boundaries.

SENATOR BELL

Offered the following resolution:

Resolved, that the evening sessions of the Senate be devoted to the consideration of House and Senate bills in their order to the exclusion of special orders.

SENATOR FRANK

Sent up the following privilege report:

SENATE CHAMBER,)

AUSTIN, February 21, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined Senate bill No. 141, entitled:

"An act to diminish the Civil Jurisdiction of the county court of Brazos county, and to conform the jurisdiction of the district court of said county to such change," and find the same correctly engrossed.

FRANK, chairman.

On motion of Senator Pope,

The Senate adjourned till 10 o'clock to-morrow morning

THIRTY SEVENTH DAY.

SENATE CHAMBER. }

AUSTIN, February 22, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called

Quorum present.

Prayer by the Chaplain Dr. Smoot.

On motion of Senator Davis.

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Garrison,

Mr. Brewer, Assistant Doorkeeper, was excused from Saturday till to-day, on account of important business.

PETITIONS AND MEMORIALS.

BY SENATOR BURNEY:

Petition of the citizens of El Paso county asking for a thorough geological survey of the State.

Ordered to lie on table subject to call.

And

Petition from citizens of Presidio county, asking for appropriation to maintain State Ranger force.

Referred to Committee on Military Affairs.

BY SENATOR GLASSCOCK:

Petition of the citizens of Travis county residing within and near to the bounds of the proposed new county of Willie, protesting against the creation of the same.

Referred to Committee on Counties and County Boundaries.

And

Petition of the citizens of Williamson county against the creation of Willie county.

Referred to Committee on Counties and County Boundaries.

BY SENATOR HOUSTON:

Petitions from citizens of Kent and Garza counties relative to judiciary matters.

Referred to Committee on Judicial Districts.

REPORTS OF STANDING COMMITTEES.

BY SENATOR McDONALD:

COMMITTEE ROOM.

AUSTIN, February 21, 1887.

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred House bill No. 94, entitled:

"An act to amend Article 4227, chapter 10, title 84, of the Revised Civil Statutes of the State of Texas," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

McDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM.

AUSTIN, February 21, 1887.

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee, No. 1, to whom was referred House bill No. 96, entitled:

"An act to amend Article 951, title 24, of the Revised Civil Statutes of the

State of Texas, relative to the collection of monies by certain county officials," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

McDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM.

AUSTIN, February 21, 1887.

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred House bill No. 280, entitled:

"An act to amend sections 4 and 12 of an act entitled an act amendatory of and supplementary to the several acts incorporating the city of Dallas, taking effect April 3, 1885, and to add thereto another section to be known as section 15a, and also to amend sections 25, 63, 84, 91, 94, 113, 126, 127, 133 and 179 of an act to incorporate the city of Dallas, approved August 9, 1876, and all amendments to said sections by the amendatory acts of July 9, 1879, April 3, 1881, and March 31, 1883, and to repeal all laws and parts of laws in conflict herewith, have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

McDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM.

AUSTIN, February 21, 1887.

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred House bill No. 121, entitled:

"An act to amend Article 2335, of chapter 1, of title 40, of the Revised Statutes of Texas, relating to property reserved from attachment, etc.," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with an amendment.

All of which is respectfully submitted.

McDONALD, acting chairman.

AMENDMENT.

In line 1, page 2, after the word "all," add the word "fuel."

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 43, entitled:

"An act to amend Article 4822, title 97, of the Revised Civil Statutes of the State of Texas, relating to the levy of writs of execution, sequestration, attachment or other like writ," have had the same under consideration, and instruct me to report it back to the Senate with a substitute, with the recommendation that the substitute do pass.

All of which is respectfully submitted.

McDONALD, acting chairman.

Bill and committee substitute read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887 }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 3, entitled:

"An act to amend chapter 61 of the General Laws of Texas, passed by the Nineteenth Legislature, and approved March 27, 1885," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do lie upon the table, as a bill relating to the same subject matter has been reported favorably.

All of which is respectfully submitted.

McDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, TEXAS, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 57, entitled:

"An act to amend chapter 2, Article 566, by striking out sections 6 and 16, relating to the purchase of real estate in towns, cities and villages; by amending section 4 so as to provide for farmers' co-operative stores; adding section 16, "for loan of money," and section 23, forbidding incorporations outside of the state, incorporated for purposes not allowed by law, from doing busi-

ness in Texas, and requiring all corporations to file articles of incorporation in Secretary of State's office, paying fees therefor," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do lie on the table, as a bill relating to the same subject matter has been reported favorably.

All of which is respectfully submitted.

McDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 41, entitled:

"An act to amend an act entitled an act to amend chapter 2, Article 566, of the Revised Statutes, relating to private corporations," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do lie upon the table, as a bill relating to the same subject matter has been reported favorably.

All of which is respectfully submitted.

McDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 106, entitled:

"An act to amend chapter 2, Article 566, of the Revised Statutes, relating to private corporations," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do lie upon the table as a bill relating to the same subject matter has been reported favorably.

All of which is respectfully submitted.

McDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No.

1, to whom was referred Senate bill No. 78, entitled:

"An act to amend Article 566, of an act entitled an act to amend 'an act to amend chapter 2, Article 566 of the Revised Civil Statutes of the State of Texas, passed by the Nineteenth Legislature and approved March 27, 1885.'" have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do lie upon the table, as a bill relating to the same subject matter has been reported favorably.

All of which is respectfully submitted.

MCDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 158, entitled:

"An act to permit the creation of private corporations for the purpose of buying and selling general merchandise, farm products, wool, hides, all kinds of country produce, farm supplies and mechanical supplies, and to prescribe a mode for creating the same," have had the same under consideration, and instruct me to report it back, with the recommendation that it do lie upon the table, as a bill relating to the same subject matter has been reported favorably.

All of which is respectfully submitted.

MCDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred substitute House bill No. 75, entitled:

"An act to amend the charter of the city of Galveston by amending sections 2, 3, 14, 19, 23, 54, 113, 116, 122 and 127 thereof, and by adding thereto sections 18a, 73a, 96a, 131a and 132a," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

MCDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred House bill No. 82, entitled:

"An act to amend Article 4480 of the Revised Civil Statutes of the State of Texas relating to salaries of chaplains of penitentiaries," have had the same under consideration and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

MCDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred substitute House bills Nos. 43 and 45, entitled:

"An act to amend chapter 2, Article 566 of the Revised Civil Statutes, as amended by an act of the Nineteenth Legislature, approved March 27, 1885," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the accompanying amendments.

All of which is respectfully submitted.

MCDONALD, acting chairman.

AMENDMENTS:

Amendment No. 1.

Amend the title so that it will read as follows:

"An act to amend an act entitled 'an act to amend chapter 2, title 566 of the Revised Civil Statutes of the State of Texas, approved March 27, 1885.'"

Amendment No 2.

Amend the enacting clause so it will read as follows:

"Be it enacted by the Legislature of the State of Texas, That an act to amend chapter 2, Article 566 of the Revised Civil Statutes of the State of Texas, approved March 27, 1885, be so amended as to hereafter read as follows."

Amendment No. 3.

In line 2, section 15, strike out all after the word "business."

Amendment No. 4.

Add the following to section 24.
 "And any person owning more than \$500 of such stock shall be liable for all the debts of such corporation."

Amendment No. 5.

In line 29, section 28, strike out all after the word "privileges."

Amendment No. 6.

Add the following as section 29.
 "The construction and maintenance of stock yards and pens."

Amendment No. 7.

Add the following as Section 30.
 "The construction and maintenance of establishments for slaughtering, refrigerating, canning, curing and packing meat."

Amendment No. 8.

Add the following as section 31.
 "The construction and maintenance of establishmentments for the preserving and canning of fruits and vegetables, and fish, provided, that no corporation shall purchase or acquire any lands in this State unless incorporated under the laws of the State, except in settlement of vendors lien in favor of such corporations."

Bill read first time.

COMMITTEE ROOM, }

AUSTIN, February 21, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 249, entitled:

"An act fixing the venue of suits for damages growing out of the wrongful levy of writs of attachment and sequestration," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

MCDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM, }

AUSTIN, February 21, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred substitute House bill No. 57, entitled:

"An act to amend Articles 9 and 10, of title 3, of the Revised Civil Statutes of the State of Texas, defining the rights of aliens in this State," have

had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

MCDONALD, acting chairman.

Bill read first time.

COMMITTEE ROOM, }

AUSTIN, February 21, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 111, entitled:

"An act to amend Articles 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238, and adding thereto Articles 3228a, 3228b, 3228c; also substituting Article 3239, and adding Article 3240, relating to the local option law," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the accompanying amendments.

All of which is respectfully submitted.

MCDONALD, acting chairman.

Amendment No. 1:

In line 3 of the title, strike out the figures "3240" and insert "3239a."

Amendment No. 2:

On page 2, line 5, Article 3228a, after the word "and" strike out the words "the amount charged therefor," and insert the words "the quantity and kind of stimulants prescribed therein."

Amendment No. 3:

On page 2, line 4, Article 3228b, strike out the word "affidavit" and insert in lieu thereof the words "certificates as defined in Article 3228a."

Amendment No. 4:

On page 2, line 5, Article 3228b, strike out the word "each" and insert the words, "per book."

Amendment No. 5:

On page 2, line 6, Article 3228c, strike out all after the word "correct."

Amendment No. 6:

On page 3, line 2, Article 3229, after the word "not" strike out the word "exceeding," and insert the words "less than."

Amendment No. 7:

On page 3, line 2, Article 3229, after the word "thirty," strike out the words "nor less than fifteen," and insert the words "nor exceeding sixty."

Amendment No. 8:

On page 3, line 3, Article 3229, after the word "election," insert the following: "and shall be held to be conclusive evidence that all the provisions of law necessary to give validity or to clothe the court with jurisdiction have been fully complied with."

Amendment No. 9:

Strike out all of Article 3230, and insert the following in lieu thereof: "The clerk shall issue, and the sheriff shall post, at least five copies of said order at different public places in each county, justices' precinct, town or city, in which such election shall be held for at least twenty days prior to the day of election, and the sheriff shall make a return, under oath, of the times and places at which he has posted said copies, which return shall be filed in the office of the county clerk, and on the trial of anyone charged with the violation of any of the provisions of the local option law, such return shall afford conclusive proof of the facts therein stated, and the court shall appoint and qualify the proper officers in accordance with the election law."

Amendment No. 10:

"On page 3, line 4, Article 3231, strike out the words 'for whiskey,' and insert the words, 'for prohibition.'"

Amendment No. 11:

"On page 3, line 5, Article 3231, strike out the words, 'against whiskey,' and insert the words, 'against prohibition.'"

Amendment No. 12:

"On page 3, line 1, Article 3233, strike out the word 'eleventh' and insert the word 'twentieth.'"

Amendment No. 13:

"On page 3, line 3, Article 3233, strike out the words, 'polls and counting the votes,' and insert the words, 'returns and estimating the results.'"

Amendment No. 14:

On page 3, line 4, Article 3233, strike out the word "whisky" and insert the word "prohibition."

Amendment No. 15:

On page 3, line 10, article 3233, strike out the words "when" and "so."

Amendment No. 16:

On page 4, line 1, article 3233, after the word "entered," insert the following words: "In the minutes of the Commissioners Court and."

Amendment No. 17:

On page 4, line 6, Article 3234, strike out all after the word "provided" and insert the following: Such notice shall be presumed to have been given, unless in the trial the contrary ap-

pears, and the burden of proof shall be on the defendant to show the contrary."

Amendment No. 18:

On page 4, line 1, Article 3235, strike out the words "against whisky" and insert the words "against prohibition."

Amendment No. 19:

On page 5, strike out the number Article 3240," and insert "Article 3239a."

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred substitute House bill No. 32, entitled:

"An act to provide for the charging of the estate of a deceased person by virtue of the joint obligation of such deceased person with another," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

MCDONALD, acting chairman.

Bill read first time.

BY SENATOR LANE

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Insurance, Statistics and History, to whom was referred Senate bill No. 133 entitled:

"An act to amend Article 4665, chapter 1, title 95 of the Revised Statutes of the State of Texas, by adding thereto Article 4665a," have had the same under consideration, and after carefully examining the same, instruct me to report it back to the Senate with the recommendation that it do pass.

LANE, chairman.

The bill seeks to exempt certain benevolent insurance societies from the payment of occupation tax as insurance companies.

Bill read first time.

BY SENATOR GLASSCOCK:

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Education to whom was referred Senate bill No. —, entitled:

"To establish an Agricultural and Mechanical College for colored youths." have had the same under consideration and after carefully examining the same instruct me to report back the accompanying substitute, with the recommendation that it do pass.

GLASSCOCK, chairman.

Bill read first time with substitute.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Education, to whom was referred Senate bill No. 105, entitled;

"An act authorizing the lending of the permanent school fund other than now authorized by law," have had the same under consideration, and after carefully examining the same, instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

GLASSCOCK, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Education, to whom was referred Senate bill No. 95, entitled:

"An act to amend an act entitled an act to amend section 71 of an act to establish and maintain a system of public free schools for the State of Texas, and to repeal so much of chapter 3, title 78, of the Revised Civil Statutes of Texas, as refer to public free schools outside of incorporated cities and towns, assuming control of their public free schools, and all laws and parts of laws in conflict with this act, passed at the called session of the Eighteenth Legislature, approved

March 12th, 1885, and to repeal the exemption of the county of Frio from the district system provided for by the said last named act," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

GLASSCOCK, chairman

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir — Your Committee on Education, to whom was referred Senate Bill No. 246, entitled:

"An act to authorize the county commissioner's courts of the several counties of the State to issue bonds for the erection of public school houses, and to levy the taxes to pay the same," have had the same under consideration, and after carefully examining the same, instruct me to report it back to the Senate with the recommendation that do not pass.

GLASSCOCK, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate.
Sir—Your Committee on Education, to whom was referred Senate Bill No. 179, entitled:

"An act to confirm the exchange of lands made by the Land Commissioner of Texas for the University of Texas, and to restore the rejected blocks of land to the reserved public domain," have had the same under consideration, and after careful examination instruct me to report it back to the Senate with the recommendation that it do pass.

GLASSCOCK, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Roads and Bridges, to whom was referred Senate bill No. 262, entitled:

"An act to amend Article 4360 of the Revised Civil Statutes, as amended at the special session of the Eighteenth Legislature," approved February 5, 1884," have had the same under con-

sideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

UPSHAW, chairman.

Bill read first time.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, {
AUSTIN, February 22, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House has concurred in the Senate's amendments to House bills:

No 47:

"An act to amend Article 528, chapter 7, title 15, of the Penal Code."

No. 51.

"An act to amend Article 318, chapter 4, title 9, of the Penal Code of the State of Texas."

No 113:

"An act to divide the western portion of Tom Green county into six new counties."

Also, that the House has passed House bill No. 103:

"An act to create Article 669a, of title 8, chapter 5, of the Code of Criminal Procedure of the State of Texas, so as to provide the order in which defendants charged with the same offense shall be tried.

WILL LAMBERT,
Chief Clerk House of Representatives.

The President referred House bill No. 103 to Judiciary Committee No. 2,

BILLS AND RESOLUTIONS.

BY SENATOR BELL:

A bill to be entitled:

"An act requiring sheriffs to report to the Adjutant General, upon adjournment of the district courts in the several counties of this State, certified lists of all fugitives under indictment for felony in said counties, to provide the means and mode of securing such lists, and to prescribe the punishment for a failure or refusal to forward them."

Referred to Judiciary Committee No. 2.

BY SENATOR JARVIS,

By request:

A bill to be entitled:

"An act authorizing railroad compa-

nies existing under the laws of this State to buy or lease or make running arrangements with the railroad of any other company owning or controlling railroads in an adjoining State or Territory.

Referred to Committee on Internal Improvements.

SENATOR HOUSTON,

By leave, sent up petitions of the citizens of Williamson county, praying for the creation of the county of Willie.

Referred to Committee on Counties and County Boundaries.

SENATOR GLASSCOCK

Called up his resolution relative to holding afternoon sessions, and

On motion of Senator Woods,
The resolution was adopted.

SENATOR BELL

Called up his resolution to consider Senate and House bill in their order irrespective of special orders.

On motion of Senator Lane,
The resolution was adopted.

SENATOR JARVIS

By leave,

Sent up a communication from the Mayor of Austin, the Hon. J. W. Robertson, relative to the State's property in the City of Austin.

Ordered to lie on the table.

SENATOR HOUSTON

Called up the Governor's message relating to the Judiciary Article and on motion it was postponed till tomorrow and made a special order after morning call and from day to day till disposed of.

Substitute Senate bill No. 22 (the railway commission bill) was resumed by the Senate, with the amendment of Senator Gregg pending.

SENATOR SIMKINS

Continued to address himself to the bill and amendments, in favor of the bill.

(Senator Glasscock in the chair.)

SENATOR ABERCROMBIE

Made an argument on the constitution-

ality of the bill; opposing it on constitutional grounds.

(The President in the chair.)

SENATOR M'DONALD

Made an argument against the constitutionality and expediency of the bill.

The following message was received from the House:

HOUSE OF REPRESENTATIVES. }
AUSTIN, February 22, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate of the passage by the House of Senate concurrent resolution "requiring appointment of a committee to investigate reasons why the State is behind in paying to the several counties of this State the public school fund apportioned to them, and suggest a remedy against a recurrence of such state of affairs."

And that Messrs. Cone, Shellburne and Biard have been appointed on the part of the House.

WILL LAMBERT, chief clerk,
House of Representatives.

SENATOR HOUSTON,

By leave, sent up petition of 359 of the citizens of Milam, Bell and Williamson counties, residing in the limits of the proposed new county of Willie, praying for the creation of the same.

Referred to Committee on Counties and County Boundaries.

SENATOR DOUGLASS OF JEFFERSON,

By leave, offered

A bill to be entitled:

"An act to regulate the shipment of lumber and other building material by railroad companies."

Referred to Judiciary Committee No. 2.

SENATOR M'DONALD,

By leave,

Sent up the following committee report:

COMMITTEE ROOM, }
AUSTIN, February 21, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 259, entitled:

"An act to amend an act passed by the regular session of the Nineteenth Legislature, entitled an act to amend section 9 of an act entitled an act to redistrict the State into judicial districts and fix the term of holding court therein, and to provide for the election of judges and district attorneys at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, passed at the regular session of the Eighteenth Legislature," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

The bill changes the times of holding court in the counties embraced in the Ninth Judicial District.

All of which is respectfully submitted.

McDONALD, acting chairman.

Bill read first time.

On motion of Senator MacManus Senate Bell No. 226.

"An act to reorganize the twenty-eighth judicial district of the State of Texas, and to provide the times for holding the district court therein," was taken up out of its regular order and read second time with favorable committee report, and was passed to engrossment.

On motion of Senator MacManus, the Constitutional rule was suspended, and the bill was placed on its third reading by the following vote:

YEAS—23.

Abercrombie,	Garrison,
Allen,	Glasscock,
Armistead,	Gregg,
Bell,	Harrison,
Burges,	Houston,
Calhoun,	Jarvis,
Claiborne,	Lane,
Davis,	MacManus,
Douglass of J.	Pope,
Douglass of G.	Upshaw,
Field,	Woods.
Frank,	

NAYS—none.

ABSENT—5.

Burney,	Simkins,
Camp,	Stinson.
McDonald,	

The bill was read third time and passed by the following vote:

YEAS—24.

Abercrombie,	Garrison,
Allen,	Glasscock,
Armistead,	Gregg,
Bell,	Harrison,
Burges,	Houston.
Calhoun,	Jarvis,
Claiborne,	Lane,
Davis,	MacManus,
Douglass of J,	Pope,
Douglass of G,	Simkins,
Field,	Upshaw,
Frank,	Woods.

NAYS—none.

ABSENT—4.

Burney,	McDonald.
Camp,	Stinson.

SENATOR HARRISON,

By leave:

Sent up report of the Commissioner
of the General Land Office, in compli-
ance with Senate resolution.

VETERAN DONATION CERTIFICATES LOCATED AND PATENTED
IN GREER COUNTY.

No. of Certificate.	Grantee.	Class.	County.	Date of Location.	Date of Return to General Land Office.	No. of Acres.	Date of Reservation.	Standing of Claims in General Land Office.	Date of Patent.	Patentee.
653	Daniel McKay...	Vet D.	Greer.	Mar 23, '82	May 17, '83	1280	Feb. 25, '79	Valid.	Oct 15, '84	Daniel McKay
569	John Campbell...	...	...	...	...	1280	...	...	Jan 23, '84	Jno Campbell
540	C M K Campbell...	...	...	...	...	1280	...	...	Oct 15, '84	C M D Campbell
473	Mrs A M Bryan...	...	...	...	...	1280	...	...	Jan 23, '84	Mrs A M Bryan
785	Mrs B Belcher...	...	...	...	...	1280	...	...	Oct 15, '84	Mrs B Belcher
778	J L Dallas...	...	...	...	...	1280	...	...	Feb 13, '84	J L Dallas
730	Geo W Petty...	...	...	...	...	1280	...	...	Oct 15, '84	Geo W Petty
728	L C Clemons...	...	...	...	...	1280	...	...	...	Lewis C Clemons
601	G C Bruner...	...	...	June 8, '83	June 15, '83	640	...	...	Nov 23, '83	G C Bruner
601	same	...	...	...	...	640	...	...	...	John M Swisher
378	Gustave Elley...	...	...	...	...	640	...	...	...	same
378	same	...	...	...	...	640	...	...	...	Gustave Elley
546	C B Stewart	...	...	...	...	640	...	...	...	C B Stewart
546	same	...	...	...	...	640	...	...	Nov 24, '83	John M Swisher
470	John Ingram	...	...	...	...	640	...	...	...	same
470	same	...	...	...	...	640	...	...	Nov 22, '83	John Ingram
591	Jno H Herron	...	...	...	...	640	...	...	...	Jno H Herron
591	same	...	...	...	...	640	...	...	...	John M Swisher
882	Josiah Dyches...	...	...	...	...	640	...	...	...	same
882	same	...	...	...	...	640	...	...	...	D H McFadden
548	Mr C Armstrong	...	...	...	...	640	...	...	...	Mrs C Armstrong
548	same	...	...	...	...	640	...	...	Feb 16, '84	John M Swisher
508	D H McFaddin...	...	...	...	...	640	...	...	...	same
508	same	...	...	...	...	640	...	...	Nov 22, '83	D H McFadden
664	Mrs M C Tobin	...	...	...	...	640	...	...	...	Mrs M C Tobin
664	same	...	...	...	...	640	...	...	...	John M Swisher
804	Mrs M McCoy	...	...	...	...	640	...	...	...	same
804	same	...	...	...	...	640	...	...	...	Martha McCoy
590	Mrs E Billingsby	...	...	...	...	640	...	...	...	E A Billingsly
590	same	...	...	...	...	640	...	...	...	J. M. Swisher.
514	J W McHorse...	...	...	...	...	1280	...	...	...	same
443	C Taylor	...	...	...	...	640	...	...	...	same
443	same	...	...	...	...	640	...	...	...	Campbell Taylor
691	W Anderson	...	...	...	...	640	...	...	...	W Anderson
691	same	...	...	...	...	640	...	...	Nov 23, '83	J M Swisher
539	S Y Reaves...	...	...	...	...	640	...	...	...	same
539	same	...	...	...	...	640	...	...	...	same
597	R O W McManus	...	...	...	...	640	...	...	...	same
597	same	...	...	...	...	640	...	...	...	R O McManus
596	W W Hornsby	...	...	...	...	640	...	...	...	W W Hornsby
596	same	...	...	...	...	640	...	...	...	J M Swisher
226	Oscar Forish...	...	...	...	...	640	...	...	...	same
648	Sanders Walker.	...	...	...	...	1280	...	...	Nov 22, '83	S S & S D Walk'r
647	Alphonzo Steel	...	...	...	...	1280	...	...	Sept 26, '83	same
411	C M Jones	...	...	...	...	640	...	...	Sept 22, '83	...
411	same	...	...	...	...	640	...	...	Not pat'd.	...
625	William Phillips	...	...	...	...	1280	...	...	...	W Phillips and J M Swisher
309	E Swarengen	...	...	...	...	640	...	...	Nov 15, '83	E Swarengen
309	same	...	...	...	...	640	...	...	Nov 22, '83	J M Swisher
862	Julia A Thomas.	...	...	...	...	640	...	...	...	same
862	same	...	...	...	...	640	...	...	Nov 23, '83	Julia A Thomas
249	Mrs H Bunton...	...	...	...	...	640	...	...	...	Hermine Bunton
249	same	...	...	...	...	640	...	...	Nov 21, '83	J M Swisher
336	Jas M Hill	...	...	...	...	640	...	...	...	same
336	same	...	...	...	...	640	...	...	May 8, '84	Jas M Hill
749	Mrs E Lancaster	...	...	...	...	640	...	...	...	Mrs E Lancaster
749	same	...	...	...	...	640	...	...	Nov 23, '83	John M Swisher
387	W P Zuber...	...	...	...	...	640	...	...	...	same
387	same	...	...	...	...	640	...	...	...	W P Zuber
362	A Buffington.	...	...	...	...	640	...	...	...	A Buffington
362	same	...	...	...	...	640	...	...	Nov 22, '83	John M Swisher
543	J B Pier	...	...	...	...	640	...	...	...	same
543	same	...	...	...	...	640	...	...	...	J B Pier
521	Chas R Duncan	...	...	...	...	640	...	...	...	Chas R Duncan
521	same	...	...	...	...	640	...	...	...	John M Swisher
409	Betsy C Cochran	...	...	...	...	640	...	...	...	same
409	same	...	...	...	...	640	...	...	...	Betsy C Cochran
398	N Austin	...	...	...	...	640	...	...	...	N Austin
398	same	...	...	...	...	640	...	...	...	John M Swisher
607	Mrs S McKinney	...	...	...	...	640	...	...	...	same
607	same	...	...	...	...	640	...	...	...	Mrs S McKinney

VETERAN DONATION CERTIFICATES LOCATED AND PATENTED
IN GREER COUNTY—Continued.

No of Certificate	Grantee.	Class.	County.	Date of Location.	Date of return to General Land Office.	No. of Ares.	Date of Reservation.	Standing of Claim in Gene. Land Office.	Date of Patent	Patentee.
700	John Harvey	Vet D	Greer	June 3, '83	June 15, '83	640	Feb 25, '79	Valid	Nov 22, '83	John Harvey
700	same .....	...	...	...	...	640	...	...	...	John M Swisher
682	Jno Sweeney.....	...	...	...	...	640	...	...	Nov. 21, '83	same
682	same .....	...	...	...	...	640	...	...	...	Jno Sweeney
315	Pendl, Rector.....	...	...	...	...	640	...	...	...	Pend Rector
315	same .....	...	...	...	...	640	...	...	...	John M Swisher
740	L C Cunningham ..	...	...	...	...	640	...	...	...	same
740	same .....	...	...	...	...	640	...	...	...	LC Cunningham
830	Mrs J Hensley....	...	...	...	...	640	...	...	...	Mrs J Hensley
830	same .....	...	...	...	...	640	...	...	...	John M Swisher
467	B F Foster.....	...	...	...	...	640	...	...	...	Cochran & Col
467	same .....	...	...	...	...	640	...	...	...	same
669	James Burch.....	...	...	...	...	640	...	...	...	James Burch
669	same .....	...	...	...	...	640	...	...	...	J M Swisher
531	George B Erath....	...	...	...	...	640	...	...	...	same
531	same .....	...	...	...	...	640	...	...	...	Geo B Erath
520	Mrs A Wright....	...	...	...	...	640	...	...	...	Mrs A Wright
520	same .....	...	...	...	...	640	...	...	...	J M Swisher
624	Benj F Whitaker ..	...	...	...	...	640	...	...	Nov. 24, '83	same
624	same .....	...	...	...	...	640	...	...	...	Ben F Whitaker
832	Mrs B Johnson....	...	...	...	...	640	...	...	...	Mrs B Johnson
832	same .....	...	...	...	...	640	...	...	...	J M Swisher
338	Edward Manton....	...	...	...	...	640	...	...	...	same
338	same .....	...	...	...	...	640	...	...	...	Edw'd Manton
731	Mrs EP Anderson ..	...	...	...	...	640	...	...	...	Mrs E Anderson
731	same .....	...	...	...	...	640	...	...	...	J M Swisher
408	M Montgomery .....	...	...	...	...	640	...	...	...	same
408	same .....	...	...	...	...	640	...	...	...	Mrs Montgomery
371	G H Love.....	...	...	...	...	640	...	...	May 9, '84	G H Love
371	same .....	...	...	...	...	640	...	...	...	J M Swisher
403	Saml McCulloch ..	...	...	...	...	1280	...	...	Sept. 22, '83	G W Brackenr'ge
507	Robert Price.....	...	...	June 12, '83	July 24, '83	1280	...	...	Sept. 26, '83	J M Swisher
613	J Cunningham....	...	...	...	...	640	...	...	Sept. 24, '83	same
613	same .....	...	...	...	...	640	...	...	...	same
469	John Macke .....	...	...	...	...	640	...	...	Nov. 10, '83	same
469	same .....	...	...	...	...	640	...	...	...	same
734	Preston Bland....	...	...	...	...	1280	...	...	Sept. 26, '83	same
773	Valentine Burch ..	...	...	...	...	640	...	...	Nov. 12, '83	Val Burch
773	same .....	...	...	...	...	640	...	...	...	J M Swisher
755	Mary J Ham.....	...	...	...	...	562	...	...	Nov. 10, '83	same
755	same .....	...	...	...	...	640	...	...	...	Mary J Ham
235	Joseph T Cook....	...	...	...	...	640	...	...	Sept. 26, '83	James T Cook
235	same .....	...	...	...	...	640	...	...	...	J M Swisher
565	Ann Morrison....	...	...	...	...	640	...	...	Nov. 23, '83	same
565	same .....	...	...	...	...	640	...	...	...	Ann Morrison
813	G C Shaw.....	...	...	...	...	640	...	...	Sept. 29, '83	G C Shaw
813	same .....	...	...	...	...	640	...	...	...	J M Swisher
704	M H Scott.....	...	...	...	...	640	...	...	Feb. 16, '84	same
704	same .....	...	...	...	...	640	...	...	...	M H Scott
708	Sarah L Cox.....	...	...	...	...	640	...	...	...	Sarah L Cox
708	same .....	...	...	...	...	640	...	...	...	J M Swisher
814	Eliza Gazley.....	...	...	...	...	640	...	...	Sept. 25, '83	same
814	same .....	...	...	...	...	640	...	...	...	Eliza Gazley
955	Saml G Evetts....	...	...	...	...	640	...	...	...	S G Evetts
955	same .....	...	...	...	...	640	...	...	...	J M Swisher
864	Philip Walker....	...	...	...	...	640	...	...	Sept. 24, '83	same
864	same .....	...	...	...	...	640	...	...	...	Phil Walker
218	S J Connell.....	...	...	...	...	640	...	...	...	J M Swisher
218	same .....	...	...	...	...	640	...	...	...	same
801	Mrs A Ward.....	...	...	...	...	640	...	...	Oct. 13, '83	same
801	same .....	...	...	...	...	640	...	...	Feb. 19, '84	Axubah Ward
635	S Castleman.....	...	...	...	...	640	...	...	Sept. 26, '83	J M Swisher
635	same .....	...	...	...	...	640	...	...	...	same
234	Mary A Ables....	...	...	...	...	1280	...	...	Sept. 22, '83	same
609	Sidney L Cole....	...	...	...	...	611	...	...	Feb. 11, '84	same
609	same .....	...	...	...	...	640	...	...	...	same
655	Robt Fletcher....	...	...	...	...	1280	...	...	Sept. 22, '83	same
622	M Colley.....	...	...	...	...	640	...	...	Nov. 10, '83	same
455	Geo W Davis.....	...	...	...	...	1280	...	...	Sept. 26, '83	same
738	Silas Edens.....	...	...	...	...	1280	...	...	...	same
231	Wm Goodwin.....	...	...	...	...	1280	...	...	Sept. 21, '83	same
626	Teressa Lackey..	...	...	...	...	1280	...	...	Nov. 7, '83	same

**VETERAN DONATION CERTIFICATES LOCATED AND PATENTED
IN GREER COUNTY—continued.**

No. of Certificate.	Grantee.	Class.	County.	Date of Location.	Date of Return to General Land Office.	No. of Acres.	Date of Reservation.	Standing of Claim in General Land Office.	Date of Patent.	Patentee
703	Mrs Arie Mays...	Vet. D	Greer.	June 12, '83	July 24, '83	1280	Feb. 25, '79	Valid.	Sept. 24, '83	J M Swisher
437	John M Swisher...	...	...	...	...	1280	...	...	Oct. 1, '83	same
324	Isaac Reed.....	...	...	...	...	1280	...	...	Sept. 27, '83	same
860	Z Robinson.....	...	...	...	...	1280	...	...	Feb. 7, '84	same
290	A J Sowell.....	...	...	...	...	1280	...	...	Sept. 26, '83	same
841	A F Dinsmore....	...	...	...	...	320	...	...	Jan. 29, '84	same
841	same.....	...	...	...	...	320	...	...	...	A F Dinsmore.
721	John F Tom.....	...	...	...	...	1280	...	...	Sept. 24, '83	J M Swisher
394	E Vanderpool....	...	...	...	...	1280	...	...	Nov. 7, '83	same
483	B A Vansickle....	...	...	...	...	1280	...	...	Feb. 15, '84	same
261	W H Bishop.....	...	...	...	...	320	...	...	Nov. 8, '83	same
261	same.....	...	...	...	...	320	...	...	...	same
238	W P Lane.....	...	...	...	...	640	...	...	Sept. 25, '83	same
220	E J Cleveland....	...	...	Jan. 13, '84	Feb. 14, '84	1280	...	...	April 1, '84	J M Day, Jno W Powers, Maddox Bros & Anderson
237	W H Moore.....	...	...	...	...	1280	...	...	...	same
258	Wm Reed.....	...	...	...	...	1280	...	...	April 2, '84	same
266	M W Cartwright..	...	...	...	...	1280	...	...	Mar. 31, '84	same
358	Squire Haggard..	...	...	...	...	1280	...	...	Mar. 29, '84	same
332	Isaac P Steen....	...	...	...	...	1280	...	...	...	same
373	Nancy Standefer..	...	...	...	...	1280	...	...	...	same
374	John Bland.....	...	...	...	...	1280	...	...	...	same
379	S H Darden.....	...	...	...	...	1280	...	...	...	same
386	Hiram Brown.....	...	...	...	...	1280	...	...	...	same
283	S C H Rogers.....	...	...	...	...	1280	...	...	Mar 31 '84	same
288	A Deffenbaugh...	...	...	...	...	1280	...	...	...	same
290	Spencer Morris..	...	...	...	...	1280	...	...	...	same
360	Martin Toole....	...	...	...	...	1280	...	...	...	same
639	Lemuel Smith....	...	...	...	...	1280	...	...	...	same
644	S W McKuee y...	...	...	...	...	1280	...	...	...	same
645	M de la Garza....	...	...	...	...	1280	...	...	...	same
654	Elizabeth Pace ..	...	...	...	...	1280	...	...	...	same
672	Levi J Parker....	...	...	...	...	1280	...	...	...	same
676	Thos H Eatin....	...	...	...	...	1280	...	...	...	same
329	George Green....	...	...	...	...	1280	...	...	April 1 '84	same
364	S A Williams....	...	...	...	...	1280	...	...	...	same
365	Susan T West....	...	...	...	...	1280	...	...	...	same
683	Nath Addison....	...	...	...	...	1280	...	...	...	same
330	S McLaughlin....	...	...	...	...	1280	...	...	April 2 '84	same
390	Elizabeth Bryan..	...	...	...	...	1280	...	...	...	same
391	Wm J Cannon....	...	...	...	...	1280	...	...	...	same
395	C J Duncan.....	...	...	...	...	1280	...	...	...	same
445	Sarah McMahon...	...	...	...	...	1280	...	...	...	same
468	Mary Caruthers..	...	...	...	...	1280	...	...	...	same
485	Jane H Perry....	...	...	...	...	1280	...	...	...	same
486	S Russell.....	...	...	...	...	1280	...	...	...	same
501	Sarah Isaacs.....	...	...	...	...	1280	...	...	...	same
617	R Hopkins.....	...	...	...	...	1280	...	...	...	same
658	J T D Wilson....	...	...	...	...	1280	...	...	...	same
668	Mary F Cayce ...	...	...	...	...	1280	...	...	...	same
671	Sarah Hallmark..	...	...	...	...	1280	...	...	...	same
331	Wm S McKenzie...	...	...	...	...	1280	...	...	April 3 '84	same
410	Daniel Parker...	...	...	...	...	1280	...	...	...	same
475	Peter Tumlinson..	...	...	...	...	1280	...	...	...	same
525	R P Crockett....	...	...	...	...	1280	...	...	...	same
552	O W Randall.....	...	...	...	...	1280	...	...	...	same
570	J W Hancock....	...	...	...	...	1280	...	...	...	same
571	Hiram Watts....	...	...	...	...	1280	...	...	...	same
393	Susan Hodges....	...	...	...	...	640	...	...	...	same
574	R D McAnelly...	...	...	...	...	1280	...	...	...	same
578	John Schlaborb..	...	...	...	...	1280	...	...	...	same
588	Jane Pate.....	...	...	...	...	1280	...	...	...	same
326	J C Scarborough	...	...	...	...	1280	...	...	April 4 '84	same
464	M G Whitaker....	...	...	...	...	1280	...	...	...	same
614	W F Nelson.....	...	...	...	...	1280	...	...	...	same
641	Daniel Miller....	...	...	...	...	1280	...	...	...	same
307	Eliz Henry.....	...	...	...	...	1280	...	...	...	same
693	Wm Crittenden..	...	...	...	...	1280	...	...	April 1, '84	same
710	Mary Ann Garst..	...	...	...	...	1280	...	...	Mar. 28, '84	same
780	J J Bowman.....	...	...	...	...	1280	...	...	...	same

VETERAN DONATION CERTIFICATES LOCATED AND PATENTED
IN GREER COUNTY—continued.

No. of Certificate.	Grantee.	Class.	County.	Date of Location.	Date of return to General Land Office.	No. of Acres.	Date of Reservation.	Standing of Claims in General Land Office.	Date of Patent.	Patentee
848	Geo W Shelton...	Vet. D	Greer.	Jan. 19, '84	Feb. 14, '84	1280	Feb. 25, '79	Valid.	Mar 28 '84	J W Maddox, J M Day, J W Powers, F M Maddox and C E Anderson
909	Hardin Nevills...	...	...	...	...	1280	...	...	...	same
914	Nancy Fullerton...	...	...	...	...	1280	...	...	...	same
921	Matilda Green...	...	...	...	...	1280	...	...	...	same
1021	R H Matthews...	...	...	...	...	1280	...	...	...	same
1040	H Lamar...	...	...	...	...	1280	...	...	...	same
1059	Caleb Holloway...	...	...	...	...	1280	...	...	...	same
1072	Jacob Walters...	...	...	...	...	1280	...	...	...	same
1073	E N Eubanks...	...	...	...	...	1280	...	...	...	same
1078	John Allen...	...	...	...	...	1280	...	...	...	same
1079	A M Money...	...	...	...	...	1280	...	...	...	same
1080	Elefair Heck...	...	...	...	...	1210	...	...	...	same
894	Ira Stephenson...	...	...	...	...	1280	...	...	...	same
902	J M Harbour...	...	...	...	...	1280	...	...	...	same
594	M C Zunigas...	...	...	...	...	1280	...	...	...	same
1018	Menann Smith...	...	...	...	...	1280	...	...	...	same
977	Harriet Wells...	...	...	...	...	1280	...	...	...	same
1075	Sarah H Prewett...	...	...	...	...	1280	...	...	...	same
1086	Patience Chanton...	...	...	...	...	1280	...	...	...	same
1087	Martha A Todd...	...	...	...	...	1280	...	...	...	same
604	D Gilleland...	...	...	...	...	1280	...	...	...	same
1082	Nancy Lewis...	...	...	...	...	1280	...	...	...	same
1083	Eliza Jowell...	...	...	...	...	1280	...	...	...	same
1084	Marg't Brigham...	...	...	...	...	1280	...	...	...	same
275	Bridget Paschal...	...	...	...	...	640	...	...	...	same
280	Eliz A Magill...	...	...	...	...	610	...	...	...	same
282	George H Hail...	...	...	...	...	640	...	...	...	same
286	M Carrier...	...	...	...	...	640	...	...	...	same
287	Ann Williamson...	...	...	...	...	640	...	...	...	same
293	E Votaw...	...	...	...	...	640	...	...	...	same
384	John Davis...	...	...	...	...	640	...	...	...	same
947	Samuel Damon...	...	...	...	...	1280	...	...	...	same
247	A de Henriquez...	...	...	...	...	640	...	...	...	same
446	John Pollan...	...	...	...	...	640	...	...	...	same
752	Wm P Tindall...	...	...	...	...	640	...	...	...	same
1015	Cyrus Wickson...	...	...	...	...	640	...	...	...	same
295	L K White...	...	...	...	...	1280	...	...	...	same
509	J O'Bannon...	...	...	...	...	1280	...	...	...	same
1088	Mary S Perkins...	...	...	...	...	640	...	...	...	same
744	Eliza J Hobson...	...	...	...	...	1280	...	...	...	same
1085	Jos L Dugat...	...	...	...	...	1280	...	...	...	same
448	P McAnelly...	...	...	...	...	1280	...	...	...	same
795	H B Perry...	...	...	Jan 22, '84	...	1280	...	...	...	same
1089	Needham Boon...	...	...	...	...	1280	...	...	...	same
1090	John Henry...	...	...	...	...	1280	...	...	...	same
1091	D Holderman...	...	...	...	...	1280	...	...	...	same
1050	John W Healer...	...	...	Jan 19, '84	...	1280	...	...	...	same
598	J C Armstrong...	...	...	Feb. 1, '84	April 28, '84	1280	...	...	...	same
269	Wm L Hunter...	...	...	April 4, '84	June 17, '84	1280	...	...	...	same
316	DeW C Lyons...	...	...	...	...	1280	...	...	...	same
941	Silas H Bates...	...	...	...	...	640	...	...	...	same
1081	Mary A Martin...	...	...	...	...	1280	...	...	...	same
815	J L McCrocklin...	...	...	...	...	1280	...	...	...	same
631	Mary A Love...	...	...	...	...	1280	...	...	...	same
602	J L Standifer...	...	...	...	...	1280	...	...	...	same
582	Peter Rouché...	...	...	...	...	1280	...	...	...	same
479	D H Edens...	...	...	...	...	1280	...	...	...	same
306	Philip R Pierce...	...	...	...	...	1280	...	...	...	same
239	Wm Connell...	...	...	July 3, '84	July 24, '84	1280	...	...	...	same
396	Edward Brown...	...	...	...	...	1280	...	...	...	same
859	Phoebe Hoffman...	...	...	June 10, '84	...	1280	...	...	...	same
997	M G Wells...	...	...	...	...	1280	...	...	...	same
1028	Joseph Ware...	...	...	...	...	1280	...	...	...	same

VETERAN DONATION CERTIFICATES LOCATED AND PATENTED IN GREER COUNTY—concluded.

No. of certificate.	Grantee.	Class.	County.	Date of Location.	Date of Return to General Land Office.	No. of Acres.	Date of Reservation.	Standing of Claims in General Land Office.	Date of Patent.	Patentee.
1096	Rebecca Clary...	Vet D.	Greer	July 3, '84	July 24, '84	1280	Feb. 25, '79	Valid	Aug 11, '84	J M Day, Jno W Powers and Maddox Bros & Anderson
224	John Pitts.....	...	...	Mch 26, '84	May 15, '84	1280	...	...	Jan. 30, '85	J M Brownson
1074	Frances O Peck.....	...	...	...	...	1280	...	...	...	Frances O Peck
705	Sarah Pettus.....	...	...	...	...	1280	...	...	...	Sarah Pettus
1009	K B White.....	...	...	...	...	1280	...	...	Jan. 27, '85	Jno S Calhoun
933	T C Lambert.....	...	...	...	...	1280	...	...	Feb. 17, '85	Thos C Lambert
950	Thomas Power.....	...	...	...	...	1280	...	...	Feb. 11, '85	Thomas Power
667	Thos O'Conner.....	...	...	...	...	1280	...	...	...	Thos O'Conner
666	John Hynes.....	...	...	...	...	1280	...	...	Feb. 14, '85	Jno Hynes
439	M McDonough.....	...	...	...	...	1280	...	...	...	M McDonough
1004	Thos J Read.....	...	...	April 24, '84	Jan 20, '85	1280	...	...	May 4, '85	Thos J Read
845	Mary Amsler.....	...	...	June 9, '84	Dec 2, '85	640	...	...	Sept. 10, '85	Mary Amsler
845	same.....	...	...	...	...	640	...	...	...	John M Swisher
827	Bernard Sherrer.....	...	...	...	...	640	...	...	Nov. 27, '85	same
827	same.....	...	...	...	...	640	...	...	...	August Sherrer
1097	John D Morgan.....	...	...	...	...	640	...	...	Sept. 14, '85	Jno D Morgan
1097	same.....	...	...	...	...	640	...	...	...	John M Swisher
273	Florinda West.....	...	...	...	...	640	...	...	not pat'd	...
857	Archibald Bass.....	...	...	...	...	640	...	...	Sept. 2, '85	C L Thurman and William J Stafford
1077	Wm C J Hill.....	...	...	...	...	640	...	...	Sept. 11, '85	Wm C J Hill
1077	same.....	...	...	...	...	640	...	...	...	John M Swisher
566	John S Menefee.....	...	...	...	...	640	...	...	...	same
566	same.....	...	...	...	...	640	...	...	...	John S Menefee
782	Robt McIntyre.....	...	...	June 9, '84	Dec 2, '85	640	...	...	Sep 11, '85	Robt McIntyre
782	same.....	...	...	...	...	640	...	...	...	John M Swisher
854	John McKisick.....	...	...	Nov 10, '84	Mch 10, '85	640	...	...	Sep 10, '85	same
854	same.....	...	...	...	...	640	...	...	...	Wm Weiss
1100	Henry Hawford.....	...	...	Jan 1, '85	Dec 2, '85	1280	...	...	Dec 18, '85	Henry Hawford
1138	Matilda Dupuy.....	...	...	Aug 19, '85	Sept 15, '85	1280	...	...	May 24, '86	W W Dupuy and L F Roberts
868	John Chisum.....	...	...	June 11, '84	Feb 6, '85	1280	...	...	Dec 16, '85	John Chisum
876	W T Hulme.....	...	...	Aug 4, '84	Feb 26, '85	1280	...	...	Sep 24, '85	W T Hulme
879	A J Hitchcock.....	...	...	...	...	1280	...	...	June 24, '85	A J Hitchcock
907	A S Mangum.....	...	...	Jan 9, '85	...	960	...	...	not pat'd	...
907	same.....	...	...	...	...	320	...	...	Dec 10, '85	A S Mangum
928	Rachael Beaty.....	...	...	Aug 4, '84	...	1280	...	...	Sep 24, '85	Rachael Beaty
939	Eli Clapp.....	...	...	Jan 9, '85	...	1280	...	...	not pat'd	...

Total number of acres.....296,853½

GENERAL LAND OFFICE, AUSTIN, February 22, 1887.

I, R. M. Hall, Commissioner of the General Land Office of the State of Texas, hereby certify that the foregoing is a true and correct statement of all lands located and patented in Greer county previous to this date, as shown by the records of this office.

In testimony whereof, I hereunto set my hand and affix the impress of the seal of said office, the date last above written.

[SEAL.]

R. M. HALL, Commissioner.

On motion of Senator Gregg,
The Senate adjourned till 10 o'clock
to-morrow morning, by the following
vote:

Davis,
Douglass of J,
Douglass of G,
Field,

Pope,
Simkins,
Upshaw.

YEAS—21.

NAYS—4.

Abercrombie,
Allen,
Armistead,
Bell,
Burges,
Burney,
Calhoun,

Frank,
Garrison,
Gregg,
Harrison,
Jarvis,
Lane,
MacManus,

Claiborne,
Glasscock,

Camp,
McDonald,

Houston,
Woods.

ABSENT—3.

Stinson.